

FILED

JAN 17 2019

Clerk, U S District Court
District Of Montana
Billings

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. ALEXANDER GREYBULL, Defendant.	CR 18-20-BLG-SPW PRELIMINARY ORDER OF FORFEITURE
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WHEREAS, in the indictment in the above case, the United States sought forfeiture of any property of the above-captioned person, pursuant to 21 U.S.C. §§ 853 and 881 and 18 U.S.C. § 924(d), as (1) any property constituting and derived from any proceeds obtained, directly and indirectly, as a result of the violations in Counts I-IV; (2) any property used and intended to be used, in any manner and part, to commit, and facilitate the commission of, the offenses in Counts I-IV; and (3) any firearm used and intended to be used to facilitate the transportation, sale, receipt, possession, and concealment of controlled substances and any proceeds

traceable to such property;

AND WHEREAS, on October 30, 2018, the defendant Greybull entered pleas of guilty with the following counts: Count I, conspiracy to possess with intent to distribute methamphetamine, in violation of 21 U.S.C. § 846; Count II, possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1); Count III, possession with intent to distribute cocaine; Count IV, possession with a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A); and Count V, felon in possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g)(1);

AND WHEREAS, on January 15, 2019, the Court vacated the forfeiture hearing in this matter and found that based on the stipulation of the parties (Doc. 36) that Greybull was to forfeit his right, title, and interest in \$1,240.00 in United States currency and the HiPoint Model C9 9mm handgun, Serial Number P1471243 and various ammunition, pursuant to 21 U.S.C. §§ 853 and 881 and 18 U.S.C. § 924(d). (Doc. 37.)

AND WHEREAS, by virtue of said guilty pleas and stipulation, the United States is now entitled to possession of the property, pursuant to 21 U.S.C. § 841(a)(1), 21 U.S.C. § 853, and Rule 32.2(b)(2), Federal Rules of Criminal Procedure.

ACCORDINGLY, IT IS ORDERED:

1. That based upon the pleas of guilty by defendant Greybull to Counts I through V contained in the indictment, and the stipulation as to forfeiture by the parties, the United States is authorized and ordered to seize the following property. This property is forfeited to the United States for disposition in accordance with the law, subject to the provisions of to 21 U.S.C. § 853(n)(1):

- \$1,240.00 in United States currency;
- Hi-Point, model C9, 9mm caliber handgun, Serial Number P1471243; and
- various ammunition.

2. That the aforementioned forfeited property is to be held by the United States in its secure custody and control.

3. That, pursuant to 21 U.S.C. § 853(n)(1), the United States forthwith shall publish at least once for three successive weeks in a suitable means of general circulation notice of this order, notice of the United States' intent to dispose of the property in such manner as the Attorney General may direct, and notice that any person, other than the defendant, having or claiming a legal interest in the above-listed forfeited property must file a petition with the Court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practical, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the preliminary order of forfeiture, as a substitute for published notice as to those persons so notified.

4. That upon adjudication of all third-party interests, this Court will enter a final order of forfeiture, pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

DATED this 16th day of January, 2019.



SUSAN P. WATTERS

United States District Court Judge